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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

2:12-CR-166-KJD-(PAL)

11 DAVID KIM,)

12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on May 21, 2013, defendant DAVID KIM pled guilty to Count One of a
15 Four-Count Criminal Indictment charging him with Conspiracy to Distribute Controlled Substances,
16 in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Criminal Indictment, ECF
17 No. 7; Plea Agreement, ECF No. 45.

18 This Court finds defendant DAVID KIM agreed to the forfeiture of the property set forth in
19 the Forfeiture Allegations of the Criminal Indictment and the Plea Agreement. Criminal Indictment,
20 ECF No. 7; Plea Agreement, ECF No. 45.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
22 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of
23 the Criminal Indictment, the Plea Agreement, and the offenses to which defendant DAVID KIM
24 pled guilty. Criminal Indictment, ECF No. 7; Plea Agreement, ECF No. 45.

25 The following assets are subject to forfeiture pursuant to Title 21, United States Code,
26 Section 853(a)(1) and (2); and Title 21, United States Code, Section 853(p):

- 1 1. \$13,500.00 in United States Currency; and
- 2 2. an *in personam* criminal forfeiture money judgment of \$6,140.00 in United
- 3 States Currency ("property").

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 DAVID KIM in the aforementioned property is forfeited and is vested in the United States of
10 America and shall be safely held by the United States of America until further order of the Court.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
12 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
13 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
14 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
15 the name and contact information for the government attorney to be served with the petition,
16 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
18 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
20 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
21 following address at the time of filing:

22 Michael A. Humphreys
23 Assistant United States Attorney
24 Daniel D. Hollingsworth
25 Assistant United States Attorney
26 Lloyd D. George United States Courthouse
 333 Las Vegas Boulevard South, Suite 5000
 Las Vegas, Nevada 89101

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 21st day of May, 2013.

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8 UNITED STATES DISTRICT JUDGE
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